

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
OCTOBER 12, 2006**

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 06-0345-UST
 Order Date: August 2, 2006
 Respondent: **Star 11, Inc.**
 Facility: Star Point 3
 Location/Mailing Address: 911 Elm St.
 Varnville, SC 29944

 County: Hampton
 Previous Orders: AO 03-4072-UST (\$7,700)
 Permit/ID Number: 04855
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(b); R.61-92, §280.34(c).

Summary: Star 11, Incorporated (Respondent) owns and operates underground storage tanks located at 911 Elm Street in Varnville, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to have the corrosion protection system inspected by a qualified tester every 3 years; and, failure to supply records to the Department upon request.

Action: The Respondent corrected the violations within 30 days and paid the civil penalty of six hundred dollars (**\$600.00**).

- 2) Order Type and Number: Consent Order 06-0488-UST
 Order Date: August 2, 2006
 Respondent: **Kimberly C. Perry**
 Facility: Sav Way 4
 Location/Mailing Address: 110 Hwy 20 S.
 Pelzer, SC 29669

 County: Anderson
 Previous Orders: None
 Permit/ID Number: 00471
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a); R.61-92, §280.34(c).

Summary: Kimberly C. Perry (Respondent) owns and operates underground storage tanks located at 110 Highway 20 South in Pelzer, South

Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to provide records to the Department upon request.

Action: The Respondent agreed to correct the violation within 30 days, and pay the civil penalty of one thousand, one hundred dollars **(\$1,100.00)**.

- 3) Order Type and Number: Consent Order 06-0582-UST
 Order Date: August 25, 2006
 Respondent: **Fogles Incorporated**
 Facility: Piggly Wiggly 116
 Location/Mailing Address: 6611 Old Savannah Hwy
 Neeses, SC 29107

 County: Orangeburg
 Previous Orders: None
 Permit/ID Number: 06844
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a); R.61-92, §280.34(c).

Summary: Fogles Incorporated (Respondent) owns and operates underground storage tanks located at 6611 Old Savannah Hwy in Neeses, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously; and, failure to supply records to the Department upon request.

Action: The Respondent corrected the violations and paid the civil penalty in the amount of three hundred dollars **(\$300.00)**.

- 4) Order Type and Number: Consent Order 06-00192-UST
 Order Date: August 29, 2006
 Respondent: **Trans America Properties, Inc.**
 Facility: A&V Travelcenter
 Location/Mailing Address: I-85 Exit 4 @ Old Dobbins Bridge
 Rd.
 Fair Play, SC 29643

 County: Oconee
 Previous Orders: None
 Permit/ID Number: 06730
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(c); R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: Trans America Properties, Incorporated (Respondent) owns and operates underground storage tanks located at I-85 Exit 4 @ Old Dobbins

Bridge Road in Fair Play, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to inspect impressed current system every 60 days; failure to provide an adequate release detection method; and, failure to supply records to the Department upon request.

Action: The Respondent agreed to correct the violations within 30 days and pay the civil penalty in the amount of one thousand, four hundred dollars **(\$1,400.00)**.

5) Order Type and Number: Consent Order 06-0352-UST
 Order Date: August 29, 2006
 Respondent: **Harley Cheyenne, LLC.**
 Facility: Pickens Jetco
 Location/Mailing Address: 106 E. Cedar Rock St.
 Pickens, SC 29671
 County: Pickens
 Previous Orders: None
 Permit/ID Number: 07285
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a); R.61-92, §280.34(c).

Summary: Harley Cheyenne, LLC (Respondent) owns and operates underground storage tanks located at 106 East Cedar Rock Street in Pickens, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to supply records to the Department upon request.

Action: The Respondent agreed to correct the violations within 30 days and pay the civil penalty in the amount of six hundred dollars **(\$600.00)**.

Hazardous Waste Enforcement

6) Order Type and Number: Consent Order 06-02-HW
 Order Date: August 25, 2006
 Respondent: **Albemarle Corporation**
 Facility: Albemarle Corporation
 Location/Mailing Address: 725 Cannon Bridge Road
 Orangeburg, SC 29116
 County: Orangeburg
 Previous Orders: 03-051-A (\$14,000)
 Permit Number: SCD 043 384 072

Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations 61-79.262.34(c)(1)(ii), R.61-79.262.90, R.61-79.265.173(a), and R.61-79.265.193(e)(1)(iii)

Summary: Albemarle Corporation (Respondent) manufactures complex and specialty chemicals. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to mark containers of hazardous waste either with the words “Hazardous Waste” or with other words that identify the contents of the container; failure to clean up a hazardous waste discharge; failure to keep all containers holding hazardous waste closed except when necessary to add or remove waste; and failure to maintain a secondary containment system that is free of cracks or gaps.

Action: The Respondent has agreed to: now and in the future, ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-79.265 Subpart I – Use and Management of Containers; ensure that any hazardous waste discharge that occurs during generation, processing or storage is cleaned up so that the discharge no longer presents a hazard to human health or the environment; ensure that all secondary containment systems are free of cracks and gaps; and pay a civil penalty in the amount of twelve thousand dollars (\$12,000.00).

Solid Waste Enforcement

7) Order Type and Number: Consent Order 05-07-SW
Order Date: August 23, 2006
Respondent: **Danny R. Dorn**
d.b.a. Dorn Construction
Facility: N/A
Location/Mailing Address: 323 Steele Road, West Columbia,
SC 29170-3631
County: Lexington
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy
and Management Act of 1991 (2002) and the Construction, Demolition
and Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg.
61-107.11, Part IV, (A)(8) (Supp.2004).

Summary: Danny R. Dorn, d.b.a. Dorn Construction (Respondent) disposed of land clearing debris without a permit at a site located at 323 Steele Road in West Columbia, South Carolina.

Action: The Respondent agreed to remove and properly dispose of the land clearing debris within six months and submit disposal receipts to the Department, and pay to the Department a civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**).

BUREAU OF WATER

Drinking Water Enforcement

8) Order Type and Number: Consent Order 06-075-DW
Order Date: August 25, 2006
Respondent: **Lands End Homeowners Association of Hilton Head**
Facility: Lands End
Location/Mailing Address: 109 Staub Rd.
Trucksville, PA 18708
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-120B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(d)

Summary: Lands End Homeowners Association of Hilton Head (Respondent) owns and is responsible for the proper operation and maintenance of swimming pool Permit No. 07-120B. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the swimming pool.

Action: The Respondent agreed to: operate and maintain the swimming pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of eight hundred forty dollars (**\$840.00**).

9) Order Type and Number: Consent Order 06-125-DW
Order Date: August 1, 2006
Respondent: **First Equity Investors Corporation, Columbia, South Carolina**
Facility: North Gate MHP
Location/Mailing Address: P.O. Box 205
Cottageville, S.C. 29435
County: Richland
Previous Orders: None
Permit/ID Number: 4060055

Violations Cited:

S.C. Code Ann. Regs. 61-58.5(H)

Summary: First Equity Investors Corporation, Columbia, South Carolina (Respondent) owns and is responsible for the proper operation and maintenance of public water system (PWS) No. 4060055. The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for combined Radium 226/228 during the January–December 2004, April–March 2005, and July–June 2005 compliance periods.

Action: The Respondent agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit for review and approval a proposed schedule for the installation of the Radium 226/228 removal treatment system; upon completion of the installation of the Radium 226/228 removal treatment system, schedule an inspection to obtain final approval to operate; and pay a **stipulated** penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**) if it fails to meet any requirement of this Order.

- 10) Order Type and Number: Consent Order 06-132-DW
Order Date: August 1, 2006
Respondent: **Ashley Oaks Water System, Inc.**
Facility: Ashley Oaks Community Phases I, II, & III PWS
Location/Mailing Address: 209 Blythewood Road
Columbia, S.C. 29016
County: Richland
Previous Orders: None
Permit/ID Number: 4050030
Violations Cited: S.C. Code Ann. Regs. 61-58.7(B)(1)

Summary: Ashley Oaks Water System, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of public water system (PWS) No. 4050030. The Respondent has violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS.

Action: The Respondent agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulation; connect to a Department approved PWS; obtain final approval to operate; submit in writing its intentions for the use of its existing wells; submit a Business Plan to show how the PWS will be operated and maintained as a viable entity; and pay a **stipulated** penalty in the amount of four thousand dollars (**\$4,000.00**) if it fails to meet any requirement of this Order.

- 11) Order Type and Number: Consent Order 06-134-DW

Order Date: August 23, 2006
Respondent: **Crooked Pond Pool Association**
Facility: Crooked Pond
Location/Mailing Address: P.O. Box 22407
Hilton Head Island, S.C. 29925
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-320B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(d)

Summary: Crooked Pond Pool Association (Respondent) owns and is responsible for the proper operation and maintenance of swimming pool Permit No. 07-320B. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the swimming pool.

Action: The Respondent agreed to: operate and maintain the swimming pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand six hundred eighty dollars **(\$1,680.00)**.

12) Order Type and Number: Consent Order 06-135-DW
Order Date: August 25, 2006
Respondent: **Tansi Village Property Owners Association**
Facility: Tansi Village
Location/Mailing Address: 2929 Plymouth Rock Road
Columbia, S.C. 29209
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-051B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(d)

Summary: Tansi Village Property Owners Association (Respondent) owns and is responsible for the proper operation and maintenance of swimming pool Permit No. 07-051B. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the swimming pool.

Action: The Respondent agreed to: operate and maintain the swimming pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of eight hundred forty dollars **(\$840.00)**.

civil penalty in the amount of one thousand six hundred dollars (\$1,600.00). The civil penalty has been paid.

- 15) Order Type and Number: Consent Order 06-144-DW
 Order Date: August 23, 2006
 Respondent: **City of York**
 Facility: City of York
 Location/Mailing Address: P.O. Box 500
 York, S.C. 29745
 County: York
 Previous Orders: None
 Permit/ID Number: 4610001
 Violations Cited: S.C. Code Ann. Regs. 61-58.5(P)(1)

Summary: The City of York (Respondent) owns and is responsible for the operation and maintenance of public water system (PWS) No. 4610001. The Respondent has violated the State Primary Drinking Water Regulations as follows: the running annual average exceeded the maximum contaminant level for total trihalomethanes during 3 compliance periods.

Action: The Respondent agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit for approval a corrective action plan (CAP) with a schedule of implementation to lower the levels of total trihalomethanes at the PWS; and pay a **stipulated** penalty in the amount of two thousand eight hundred dollars (\$2,800.00) if they fail to meet any requirement of this Order.

- 16) Order Type and Number: Consent Order 06-145-DW
 Order Date: August 25, 2006
 Respondent: **House of God Miracle Temple**
 Facility: Adams Run Civic Center
 Location/Mailing Address: P.O. Box 125
 Adams Run, S.C. 29426
 County: Charleston
 Previous Orders: None
 Permit/ID Number: 1070148
 Violations Cited: S.C. Code Ann. Regs. 61-58.11(H)
 and 61-58.6(E)

Summary: House of God Miracle Temple (Respondent) owns and is responsible for the operation and maintenance of public water system (PWS) No. 1070148. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to monitor for lead and copper during the June - September 2004 and June–September 2005 monitoring periods and failure to

issue public notice within 1 year of notice of the violation to the employees and customers and submit a copy to the Department.

Action: The Respondent agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations and pay a civil penalty in the amount of two thousand one hundred dollars (**\$2,100.00**).

Water Pollution Enforcement

17) Order Type and Number: Consent Order 06-115-W
Order Date: August 4, 2006
Respondent: **Liberty Denim, LLC**
Facility: Liberty Denim, LLC WWTF
Location/Mailing Address: 101 Mills Avenue
Liberty, S.C. 29657
County: Pickens
Previous Orders: 05-007-W (\$3,500)
Permit/ID Number: SC0000264
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp. 2005)

Summary: Liberty Denim, LLC (Respondent) is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits as follows: failed to comply with effluent limits for biochemical oxygen demand (BOD).

Action: The Respondent agreed to: submit a corrective action plan (CAP) detailing operational techniques and maintenance procedures to be implemented during the winter months to ensure compliance with effluent limits and pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**) in installments.

18) Order Type and Number: Consent Order 06-124-W
Order Date: August 23, 2006
Respondent: **Robert F. Harrell**
Facility: Summer Gate Subdivision
Location/Mailing Address: 3300 Stafford Court
Florence, S.C. 29501
County: Florence
Previous Orders: None

Permit/ID Number: SCR10C120
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1) and
24 S.C. Code Ann. Regs. 61-9.122.21(a)(3) (Supp. 2005)

Summary: Robert F. Harrell (Respondent) owns and is responsible for clearing and grading activities at Summer Gate Subdivision (Site). The Respondent violated the Pollution Control Act and associated regulations as follows: failed to obtain a National Pollutant Discharge Elimination System (NPDES) permit prior to initiating land-disturbing activities at the Site.

Action: The Respondent agreed to: submit a report prepared by a South Carolina Registered Professional Engineer certifying that all necessary storm water controls are installed and properly functioning and pay a civil penalty in the amount of three thousand nine hundred dollars (**\$3,900.00**).

19) Order Type and Number: Consent Order 06-131-W
Order Date: August 1, 2006
Respondent: **Dorchester County Public Works**
Facility: Lower Dorchester WWTF
Location/Mailing Address: P.O. Box 9
Dorchester, S.C. 29437
County: Dorchester
Previous Orders: 02-190-W (\$8400); 04-182-W
(\$19K)
Permit/ID Number: SC0038822
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Ann. Regs. 61-9.122.41(a)(1) (Supp. 2005)

Summary: Dorchester County Public Works (Respondent) owns and is responsible for the proper operation and maintenance of its Lower Dorchester wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for chronic toxicity.

Action: The Respondent agreed to: initiate a series of whole effluent toxicity (WET) tests conducted twice each month for a period not to exceed 3 months; if, at any time during the accelerated testing period specified above, the effluent from the WWTF is in violation of the Respondent's WET permit limits, the Respondent shall conduct a Toxicity Reduction Evaluation (TRE); ninety days after submittal of the TRE plan and schedule required above, and each ninety days thereafter, submit a report on the progress made toward attainment of compliance; and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**).

- 20) Order Type and Number: Consent Order 06-133-W
 Order Date: August 2, 2006
 Respondent: **City of Woodruff**
 Facility: Enoree River WWTF
 Location/Mailing Address: 231 E. Hayne Street
 Woodruff, S.C. 29388

 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: SC0045802
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Ann. Regs. 61-9.122.41(a) (Supp. 2005)

Summary: The City of Woodruff (Respondent) owns and is responsible for the proper operation and maintenance of the Enoree River wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for biochemical oxygen demand (BOD).

Action: The Respondent agreed to: submit a summary of corrective actions taken to date to prevent future BOD violations and pay a civil penalty in the amount of two thousand eight hundred dollars **(\$2,800.00)**.

- 21) Order Type and Number: Consent Order 06-136-W
 Order Date: August 4, 2006
 Respondent: **Chester Metropolitan District**
 Facility: Fort Lawn Water Treatment Plant
 Location/Mailing Address: P. O. Box 550
 Chester, S.C. 29706

 County: Chester
 Previous Orders: None
 Permit/ID Number: SCG641008
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005), 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp 2005) and
 61-9.122.41(e) (Supp. 2005)

Summary: Chester Metropolitan District (Respondent) owns and is responsible for the proper operation and maintenance of its Fort Lawn water treatment plant (WTP). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge monitoring requirements for iron and failed to properly operate and maintain all units of treatment and control.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a corrective action plan (CAP) containing a diagnostic evaluation (DE) of its WTP; submit a preliminary engineering report

(PER) with a schedule of construction not to exceed 2 years from the date of execution of this Order; and pay a civil penalty in the amount of seventeen thousand four hundred thirty-two dollars (\$17,432.00).

22) Order Type and Number: Consent Agreement 06-139-W
 Order Date: August 10, 2006
 Respondent: **Montenay Resource Recovery, Inc.**
 Facility: Montenay Resource Recovery, Inc.
 WWTF
 Location/Mailing Address: 1801 Shipyard Creek Road
 North Charleston, S.C. 29405
 County: Charleston
 Previous Orders: None
 Permit/ID Number: SC0041173
 Violations Cited: N/A

Summary: Montenay Resource Recovery Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF).

Action: The Respondent agreed to: comply with all applicable State and Federal regulations.

23) Order Type and Number: Consent Order 06-140-W
 Order Date: August 4, 2006
 Respondent: **Town of Nichols**
 Facility: Town of Nichols WWTF
 Location/Mailing Address: P.O. Box 32
 Nichols, S.C. 29581
 County: Marion
 Previous Orders: None
 Permit/ID Number: SC0041327
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 48-1-110(d) and 24 S.C. Code Ann. Regs.61-9.122.21(d)(1) (Supp 2005)

Summary: The Town of Nichols (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) Permit at least 180 days prior to the expiration date of the permit and discharged wastewater into the environment without the appropriate permit.

Action: The Respondent agreed to: comply with all applicable State and Federal regulations; submit an administratively complete application for renewal of the NPDES Permit; and pay a civil penalty in the amount of eleven thousand four hundred dollars (**\$11,400.00**) in installments.

24) Order Type and Number: Consent Order 06-142-W
 Order Date: August 25, 2006
 Respondent: **Kinder Morgan Bulk Terminals, Inc.**
 Facility: Shipyard River Terminal
 Location/Mailing Address: 1801 Milford Street
 Charleston, S.C. 29405
 County: Charleston
 Previous Orders: 02-006-A (\$12,000), 02-014-W (\$20,400)
 Permit/ID Number: SC0048046, SCR003335
 Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2005) and 25 S.C. Code Ann. Regs. 61-68.E.5 and F.13.a (Supp. 2005)

Summary: Kinder Morgan Bulk Terminals, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a bulk offloading facility. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to keep waters of the State free from deleterious material and to follow the best management practices (BMPs) that applied to the proper operation of dock 2 at the Site.

Action: The Respondent agreed to: submit a schedule for the installation and/or submittal of requirements in order to prevent any further impact to the environment and waters of the State; upon Department approval, the schedule shall be incorporated into and become an enforceable part of this Order and pay a civil penalty in the amount of twelve thousand six hundred dollars (**\$12,600.00**).

25) Order Type and Number: Consent Order 06-146-W
 Order Date: August 25, 2006
 Respondent: **US Water Recovery, LLC**
 Facility: JW Aluminum
 Location/Mailing Address: P.O. Box 70397
 Charleston, S.C. 29415
 County: Charleston
 Previous Orders: None
 Permit/ID Number: 18,838-IW

Violations Cited: S.C. Code Ann. § 48-1-110(a)(1) and 25 S.C. Code Ann. Regs. 61-67(A)(1) (Supp. 2005)

Summary: US Water Recovery, LLC, (Respondent) owns and is responsible for the proper operation and maintenance of an organic, metal bearing, and oily waste pretreatment system (PTS) serving JW Aluminum Company at 435 Old Mount Holly Road, in Berkeley County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: discharged wastewater into the environment in a manner other than in compliance with a permit and constructed a pretreatment system without the appropriate permits or approvals.

Action: The Respondent agreed to: comply with all applicable State and Federal regulations; submit an application for a permit to construct a pretreatment system; and pay a civil penalty in the amount of six thousand four hundred dollars (\$6,400.00).

26) Order Type and Number: Consent Order 06-147-W
Order Date: August 25, 2006
Respondent: **Town of Chapin**
Facility: Town of Chapin WWTF
Location/Mailing Address: P.O. Box 183
Chapin, S.C. 29036
County: Lexington
Previous Orders: 01-001-W (\$4,000), 05-051-W (\$3,400)
Permit/ID Number: SC0040631
Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp. 2004)

Summary: The Town of Chapin (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the residents and businesses in its designated service area. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for fecal coliform (FC).

Action: The Respondent agreed to: submit a summary of corrective actions taken to date to prevent future FC violations and pay a civil penalty in the amount of one thousand seven hundred dollars (\$1,700.00).

27) Order Type and Number: Consent Order 06-148-W
Order Date: August 25, 2006

Respondent: **Bruce Bishop**
Facility: d/b/a as Bruce Bishop Enterprises
Location/Mailing Address: 3691 Mary Ann Point Road
Johns Island, S.C. 29455
County: Charleston
Previous Orders: None
Permit/ID Number: SCG730811, SCG730812, and
SCG730813
Violations Cited: S.C. Code Ann. § 48-1-110(d),
90(a)(1987 and Supp.2005), 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3)
(Supp. 2005)

Summary: Bruce Bishop (Respondent) d/b/a Bruce Bishop Enterprises owns and is responsible for the proper operation and maintenance of mining activities at properties located at 4019 Betsy Kerrison Parkway, 3934 Betsy Kerrison Parkway and 4788 River Road (Sites) located on Johns Island, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to obtain the necessary mine operating permits and the National Pollutant Discharge Elimination System (NPDES) permits required authorizing the Respondent to discharge mine dewatering effluent into the environment, including waters of the State.

Action: The Respondent agreed to: pay a civil penalty in the amount of five thousand one hundred dollars (**\$5,100.00**).

BUREAU OF AIR QUALITY

28) Order Type and Number: Consent Order 06-033-A
Order Date: August 29, 2006
Respondent: **Stingray Boat Company**
Facility: Stingray Boat Company
Location/Mailing Address: P.O. Box 669
Hartsville, SC 29550
County: Darlington
Previous Orders: 04-049-A (\$8,000)
Permit/ID Number: 0820-0040
Violations Cited: U.S. Environmental Protection
Agency Regulations at 40 CFR 63, Subpart VVVV, National Emission
Standards For Hazardous Air Pollutants For Boat Manufacturing, South
Carolina Air Pollution Control Regulation 61-62.63, National Emission
Standards for Hazardous Air Pollutants (NESHAP) for Source Categories,
Subpart VVVV, and S.C. Code Ann § 48-1-110(d)

Summary: Stingray Boat Company ("Respondent") located in Hartsville, South Carolina, manufactures fiberglass boats and boat parts. The Respondent

has violated Federal and State regulations and its Title V Permit in that it failed to: submit its Notification of Compliance Status (“NOCS”); a timely initial periodic compliance report for the reporting period ending December 31, 2005; and a timely semi-annual report for the reporting period ending September 30, 2005.

Action: The Respondent agreed to comply with all the Federal Regulations including the submission of accurate and timely notifications, reports, and certifications. The Respondent has also agreed to submit to the Department an accurate initial periodic compliance report for the reporting period ending December 31, 2005, and pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**). The penalty has been paid.

29) Order Type and Number: Consent Order 06-037-A
Order Date: August 11, 2006
Respondent: **Till’s Landscaping & Construction, Inc.**
Facility: Till’s Landscaping & Construction, Inc.
Location/Mailing Address: 855 Gramling Rd
Rt. 1, Box 510
Orangeburg, SC 29115
County: Orangeburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning.

Summary: Till’s Landscaping & Construction, Inc. (Respondent), located in Orangeburg, South Carolina, is a commercial waste-disposal contractor. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned industrial waste consisting of metal, concrete, brick, paint cans, aerosol cans, and oil, which is prohibited by the Regulation.

Action: The Respondent agreed to immediately and henceforth cease open burning except as provided by South Carolina Air Pollution Control Open Burning Regulations, and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**). The penalty has been paid.

30) Order Type and Number: Consent Order 06-042-A
Order Date: August 11, 2006
Respondent: **Meritor Heavy Vehicle Systems, LLC d/b/a ArvinMeritor CVS**
Facility: Meritor Heavy Vehicle Systems, LLC d/b/a ArvinMeritor CVS
Location/Mailing Address: 801 Railroad Ave

York, SC 29745
County: York
Previous Orders: None
Permit/ID Number: 2440-0059
Violations Cited: S.C. Code Ann. § 48-1-110(d), South Carolina Air Pollution Control Regulation 61-62.70.6(c), and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements.

Summary: Meritor Heavy Vehicle Systems, LLC d/b/a ArvinMeritor CVS (Respondent), assembles axles and manufactures brake shoes and calipers for heavy equipment. The Respondent violated State regulations and State statute as follows: failed to submit a complete and accurate Title V Annual Compliance Certification (TVACC) for the reporting period ending September 30, 2005; failed to obtain a construction permit and an operating permit prior to installing and operating a new paint line, grinder, and riveter; and altered a source of air contaminants by re-routing particulate matter emissions from a second Dura Park Welder to an existing mist eliminator in its brake welding operation.

Action: The Respondent agreed to: submit within 45 days from the end of each reporting period a TVACC that accurately reflects the compliance status of the facility during the reporting period; apply for and obtain the required permits prior to installing, operating, and altering sources of air contaminants; and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**). The penalty has been paid.

31) Order Type and Number: Consent Order 06-043-A
Order Date: August 1, 2006
Respondent: **Institutional Resources, LLC**
Facility: Institutional Resources, LLC
Location/Mailing Address: 225 S. Pleasantburg Dr. Suite B10
Greenville, SC 29607
County: Greenville
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control Regulation 61-86.1, Section V.C., Standards of Performance for Asbestos Projects

Summary: Institutional Resources, LLC, ("Respondent"), located in Greenville, South Carolina, is a finance and construction management firm that specializes in public and private school systems. The Respondent has violated State regulations in that it failed to: ensure that a licensed air sampler conducted representative daily area sampling once the asbestos project had began; and

ensure that a licensed air sampler conducted clearance air monitoring at the completion of the asbestos project.

Action: The Respondent agreed to ensure that a Department-licensed air sampler conducts representative daily area sampling once an asbestos project has began and conducts clearance air monitoring at the completion of the asbestos project. In addition the Respondent has agreed to pay a civil penalty in the amount of four thousand dollars **(\$4,000.00)**.

32)	<u>Order Type and Number:</u>	Consent Order 06-044-A
	<u>Order Date:</u>	August 1, 2006
	<u>Respondent:</u>	Rubber Recovery, Inc.
	<u>Facility:</u>	Rubber Recovery, Inc.
	<u>Location/Mailing Address:</u>	1620 Cypress Garden Rd Moncks Corner, SC 29461
	<u>County:</u>	Berkeley
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	CM-0420-0069
	<u>Violations Cited:</u>	S.C. Code Ann. §48-1-110(d)

Summary: Rubber Recovery, Inc. (Respondent), located in Moncks Corner, South Carolina, produces crumb rubber from scrap tires using a cryogenic freezing process. The Respondent has violated the South Carolina Pollution Control Act as follows: failure to maintain and operate magnehelic gauges and record pressure drop readings; failure to perform operation and maintenance checks on pollution control equipment; and failure to submit operational ranges and semi-annual reports of excursions from these ranges to the Department as required by its Permit.

Action: The Respondent agreed to henceforth: install, operate, and maintain magnehelic gauges on each module of its baghouse; record daily baghouse pressure drop readings; submit semiannual reports of incidences outside the operational ranges established for each of its baghouses; perform routine inspections and subsequent maintenance on its cyclones, ductwork, dust collection hoppers and conveying systems; and pay a civil penalty in the amount of three thousand dollars **(\$3,000.00)**. The penalty has been paid.

33)	<u>Order Type and Number:</u>	Consent Order 06- 045-A
	<u>Order Date:</u>	August 1, 2006
	<u>Respondent:</u>	DAK Americas, LLC
	<u>Facility:</u>	DAK Americas, LLC
	<u>Location/Mailing Address:</u>	3350 Cypress Gardens Rd Moncks Corner, SC 29461
	<u>County:</u>	Berkeley

Previous Orders: None
Permit/ID Number: TV-0420-0089
Violations Cited: S.C. Code Ann. § 48-1-90(a),
S.C. Code Ann. § 48-1-110(d)

Summary: DAK Americas, LLC, (Respondent) located in Moncks Corner South Carolina, manufactures Dacron polyester fiber and bottle grade PET resin. The Respondent has violated the Pollution Control Act as follows: it exceeded its permitted NOX emissions limit for ID 01, ID 02, ID 04 and ID 05; and failure to perform required source tests to demonstrate compliance with the NOX emissions limit for ID 01 through ID 06 within 180 days of the issuance of TV-0420-0089, as required by its Permit.

Action: The Respondent agreed to: perform source tests in accordance with the testing schedule established by its Permit; comply with NOX emissions limits established by its Permit; and pay a civil penalty in the amount of fifteen thousand dollars **(\$15,000.00)**.

34) Order Type and Number: Consent Order 06-048-A
Order Date: August 23, 2006
Respondent: **Montenay Charleston Resource Recovery, Inc.**
Facility: Montenay Charleston Resource Recovery, Inc.
Location/Mailing Address: 1801 Shipyard Creek Rd
North Charleston, SC 29405
County: Charleston
Previous Orders: None.
Permit/ID Number: TV-0560-0196
Violations Cited: U.S. EPA Regulation 40 CFR 60,
Subpart Cb and S.C. Code Ann. §48-1-90(a)

Summary: Montenay Charleston Resource Recovery, Inc. (Respondent), located in North Charleston, South Carolina, is a resource recovery facility that captures energy by burning municipal solid waste generated in Charleston County, South Carolina. The Respondent has violated the Pollution Control Act and U.S. EPA Regulations by exceeding its permitted emission limits for cadmium and lead during a November 9-10, 2005, source test on its boilers.

Action: The Respondent agreed to: henceforth limit the cadmium and lead emissions from boilers B1 and B2, submit a plan of corrective action specifying inspection procedures adopted to ensure future compliance with the cadmium and lead emissions from boilers B1 and B2, and pay a civil penalty in the amount of nine thousand dollars **(\$9,000.00)**. The civil penalty has been paid.

35) Order Type and Number: Consent Order 06-049-A
Order Date: August 29, 2006
Respondent: **Saint-Gobain Technical Fabrics America, Inc.**
Facility: Saint-Gobain Technical Fabrics America, Inc.
Location/Mailing Address: 2900 Bird St.
North Charleston, SC 29405
County: Charleston
Previous Orders: None
Permit/ID Number: TV-0560-0026
Violations Cited: U.S. EPA Regulations at 40 CFR 63 –National Emissions Standards for Hazardous Air Pollutants For Affected Source Categories and SC Regulation 61-62.63 – National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, Subparts HHHH –National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production, and S.C. Code Ann 48-1-110(d).

Summary: Saint-Gobain Technical Fabrics America, Inc. (Respondent), located in North Charleston, South Carolina, manufactures fiberglass mats that are used in the production of roofing shingles. The Respondent has violated U.S. EPA Regulations at 40 CFR 63, Subpart HHHH and South Carolina Pollution Control Regulations as follows: the Respondent failed to submit its Notification of Compliance Status (“NOCS”) no later than December 7, 2005, as required by the regulation and its Permit.

Action: The Respondent submitted an accurate and complete NOCS to the Department on March 22, 2006. In addition the Respondent agreed henceforth to submit to the Department and to the U.S. EPA accurate and timely notifications, reports, and certifications in accordance with the regulation and its Permit, and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

36) Order Type and Number: Consent Order 06-050-A
Order Date: August 31, 2006
Respondent: **Bayne’s Pallets Sales and Repairs, Inc.**
Facility: Bayne’s Pallets Sales and Repairs, Inc.
Location/Mailing Address: 201 Pleasant Dr
Easley, S.C.
County: Greenville
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning.

Summary: Bayne's Pallets Sales and Repairs, Inc. (Respondent), located in Easley, South Carolina, builds and repairs wooden pallets. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned materials, consisting of various wood pallet scraps that are prohibited by the Regulation.

Action: The Respondent agreed to immediately and henceforth cease open burning except as provided by South Carolina Air Pollution Control Open Burning Regulations, and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) payable in three payments of one thousand dollars (\$1,000.00) each.